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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

WALTER BRADLEY, on behalf of
himself and all others similarly situated,

Plaintiff,

vs.

DISCOVER FINANCIAL SERVICES,

Defendant.

Case No. 4:11-cv-5746-YGR

[Assigned to the Hon. Yvonne Gonzalez
Rogers]

**STIPULATION AND ~~PROPOSED~~
ORDER RE DISMISSAL OF
ACTION**

1 Plaintiff Walter Bradley and defendant Discover Financial Services, through
2 their undersigned counsel, hereby stipulate as follows:

3 WHEREAS, there is an action pending before Judge White of the United
4 States District Court for the Northern District of California, captioned *Andrew*
5 *Steinfeld v. Discover Financial Services, et al.*, case number 3:12-cv-01118-JSW
6 (“the *Steinfeld* action”); and

7 WHEREAS, on May 17, 2013, Plaintiffs filed a First Amended Complaint in
8 the *Steinfeld* action, Docket No. 47 (the “FAC”), that added Walter Bradley as a
9 named plaintiff; and

10 WHEREAS, on May 17, 2013, Plaintiffs filed an Unopposed Motion for
11 Preliminary Approval of Settlement Agreement in the *Steinfeld* action, Docket No.
12 48-1 (the “Preliminary Approval Motion”), which requests that the Court enter an
13 order preliminarily approving the class action Settlement Agreement, dated May
14 17, 2013 (the “Settlement Agreement”); and

15 WHEREAS, pursuant to Section III.A. of the Settlement Agreement, the
16 parties agreed this action shall be dismissed;

17 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED,
18 between Plaintiff, by his undersigned counsel, and Defendant, by its undersigned
19 counsel, as follows:

20 1. This action shall be dismissed without prejudice, with each party bearing
21 its own fees and costs.

22 2. If the Court in the *Steinfeld* action does not approve the Settlement, the
23 statute of limitations period applicable to claims made in the *Steinfeld* FAC shall be
24 calculated from the date of the filing of this action, November 30, 2011.

25
26 IT IS SO STIPULATED.
27
28

1
2
3 Dated: May 23, 2013

/s/ Mark Ankcorn

4 By: Mark Ankcorn

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11 *Class*

12 Dated: May 23, 2013

13 /s/ Lisa Simonetti

14 By: Lisa Simonetti

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26 *Services*

~~PROPOSED~~ ORDER

FOR GOOD CAUSE APPEARING AND PURSUANT TO THE
STIPULATION, IT IS SO ORDERED. This action is hereby **DISMISSED**
WITHOUT PREJUDICE.

This Order terminates Dkt. No. 53.

DATED: May 24, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE